

Attorney Docket No.: TS01-1037  
N1085-90149

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**FEB 18 2009**

## **FACSIMILE TRANSMITTAL SHEET**

In re application of: **Chi-An Kao et al.**

Examiner: **Khiem D. Nguyen**

Serial No.: **10/661,793**

Group Art Unit: **2823**

Filed: **09/12/2003**

Confirmation No.: **8353**

For: **CONSTANT AND REDUCIBLE HOLE BOTTOM CD IN VARIABLE POST-CMP THICKNESS AND AFTER-DEVELOPMENT-INSPECTION CD**

To: Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

FACSIMILE NUMBER: 571-273-8300

**CONFIRMATION  
TELEPHONE:**

FROM: Mark J. Marcelli

DIRECT DIAL: 619.744.2243

DATE: February 18, 2009

**TOTAL # OF PAGES:**  
(INCLUDING COVERSHEET)

MESSAGE: Attached is a 1) Fee Transmittal (in duplicate); 2) Petition for Extension of Time (in duplicate) and 3) Appeal Brief – 37 CFR §41.37.

NOTE: Original will not follow

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PTO/SB/17 (10-08)

Approved for use through 06/30/2010, OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
For FY 2009☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$540.00

## Complete If Known

Application Number	TS01-1037
Filing Date	10/661,793
First Named Inventor	Chi-An Kao et al.
Examiner Name	Khiem D. Nguyen
Art Unit	2823
Attorney Docket No.	TS01-1037

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 04-1679 Deposit Account Name: Duane Morris LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

## 2. EXCESS CLAIM FEES

EXCESS CLAIM FEE		Fee (\$)	Fee (\$)
Fee Description			
Each claim over 20 (including Reissues)		52	26
Each independent claim over 3 (including Reissues)		220	110
Multiple dependent claims		390	195
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=	

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Appeal brief fee 37 C.F.R. 41.20(b)(2) \$540.00

## SUBMITTED BY

Signature

Registration No. 36,593  
(Attorney/Agent)

Telephone 619-744-2243

Name (Print/Type) Mark J. Marcelli

Date February 18, 2009

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Fees Paid (\$)

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